

With history the final judge or our deeds, we ask God's blessing and help, but knowing here on earth God's work must truly be our own.

Mayor Kinsky, thank you for those words. May they serve as a challenge and example to everyone to do what you and the greater Sheridan community have done.

35TH ANNIVERSARY OF THE CLEAN WATER ACT

Mr. FEINGOLD. Mr. President, today is the 35th anniversary of the Clean Water Act, one of this Nation's landmark environmental laws.

Since 1972, the Clean Water Act has provided essential protection for our Nation's waters that enhance and contribute to human health and well-being, the economy, and the environment. Yet as we celebrate the 35-year anniversary of the enactment of the Clean Water Act, Federal protections of surface waters that provide drinking water to an estimated 110 million Americans remain threatened until the U.S. Congress acts. Two recent U.S. Supreme Court cases have jeopardized the protection of these and many other of our Nation's waters by calling into question the Clean Water Act protections for entire categories of waters.

In the 2006 consolidated cases of *Rapanos v. United States* and *Carabell v. Army Corps of Engineers*, the U.S. Supreme Court left more than half of our Nation's waters without Federal protections. The impact of that decision is compounded by the 2001 case *Solid Waste Agency of Northern Cook County v. Army Corps of Engineers*, *SWANCC*, in which the U.S. Supreme Court limited the authority of Federal agencies to extend Clean Water Act protections to certain wetlands traditionally protected based on their use by migratory birds.

The implications of the recent Supreme Court decisions are disturbing for the safety of our drinking water, habitats for wildlife, and fragile ecosystems around the country. At the crux of the debate is the term "navigable waters," which the Supreme Court used to restrict the scope of the Clean Water Act in ways never intended by Congress. The fundamental purpose of the Clean Water Act of 1972 was to protect the Nation's waters from pollution rather than just sustain the navigability of waterways.

That is why Congress extended protections to "waters of the United States," and the Environmental Protection Agency's and Army Corps of Engineers' regulations have properly established the scope of waters—including all interstate and intrastate waters—needed to be protected in order to maintain the "chemical, physical, and biological integrity of the Nation's waters," as called for in the act. This goal cannot be achieved if Congress does not restore protections that the Supreme Court stripped from 53 to 59 percent of the total length of U.S.

streams, excluding Alaska, and at least 20 million acres of so-called "isolated" wetlands in the lower 48 States, as estimated by the EPA.

It is important to understand that though the recent court cases focused on dredge and fill permits under section 404, the definition of "waters of the United States" is integral to the Federal Government's jurisdiction under the Clean Water Act as a whole. This definition is the linchpin for State water quality standards under Section 302 and Section 303, national performance standards under Section 306, toxic and pretreatment standards under Section 307, oil and hazardous substance liability under Section 311, aquaculture standards under Section 318, State water quality certifications under Section 401, and national pollution discharge permitting requirements under Section 402.

In light of these Supreme Court decisions, Congress must reaffirm the original intent of the Clean Water Act and our commitment to ensuring that Americans have clean, safe water. The Clean Water Restoration Act, which I have introduced, will reestablish protection for all waters historically covered by the Clean Water Act. It will end the legal wrangling over the definition of waters protected by the original Clean Water Act by defining "waters of the United States" based on the long-standing definitions in EPA and U.S. Army Corps regulations.

It is a straightforward, surgical fix. Unfortunately, special interest and industry groups that opposed the Clean Water Act in 1972 are back at it again, trying to sabotage any legislation that restores critical clean water protections. They are making claims that "every wet area" will be regulated, which could not be further from the truth—from the downright silly accusation that swimming pools will be regulated to the flat-out incorrect accusation that ground water will be regulated. My legislation does not broaden the scope of the Clean Water Act.

Congress should not stand aside while the courts roll back more than 30 years of Federal protections for our waters. On the 35th anniversary of the enactment of the Clean Water Act, we must step in to bring clarity to a law left murky by the U.S. Supreme Court.

SPECIAL OLYMPICS

Mr. CRAIG. Mr. President, I have come to the floor today to talk about something very important—the Special Olympics World Winter Games.

It is a privilege for all of us in Idaho to be a part of these games as the host for the 2009 worldwide games. And it has been an honor for me personally to be involved with this wonderful organization. I know the people of Idaho are looking forward to welcoming the world to our great State.

I especially want to thank Senator HARKIN for his help. He has been a tremendous advocate for the Special

Olympics. And from what I understand, he is a big fan of the games in his home state of Iowa, where they recently hosted the National Summer Games. Senator, thank you.

I think we all know that the Special Olympics is a first-class organization. Its sole purpose is to enrich the lives of literally millions of people across the world. Through training and competition, individuals with intellectual disabilities have a chance to become physically fit, productive and respected members of society.

However, Special Olympics is responsible for much more than games and competition . . . it is about quality of life. The Special Olympics Healthy Athletes Program, developed over a decade ago, focuses on health, fitness, and well-being of people with and without disabilities. Last year this program made it possible to conduct more than 135,000 health screenings. Just this month, at the World Summer Games in China, medical volunteers provided free dental, vision, and hearing exams. Clearly, the games are more than just a sporting event they provide services to promote better fitness and health care.

So when the Special Olympics asked me to help with the Idaho Winter Games, it is easy to see why I considered it a great honor.

Now, hosting the largest multiday winter sports competition ever held in the United States isn't easy—and it isn't cheap. There is a tremendous amount of work going on behind the scenes. It requires a lot of manpower and resources to prepare the infrastructure and organize housing, meals, and transportation for participants from all over the world. As a world-class nonprofit organization, Special Olympics relies mostly on in-kind gifts and services. Raising enough money to pull off such a large event is a daunting task, to say the least.

This is why I am pleased that the Senate Appropriations Committee has provided the Idaho Special Olympic Winter Games with some much-needed funding. This critical financial assistance will make these games possible. It will make it possible for some truly remarkable athletes to compete.

Again I would like to thank both Senator HARKIN and Senator SPECTER for their devotion to the Special Olympics. Their work will make these games a success. And while I am on the floor, I would like to invite my colleagues to come to Idaho—to experience the magic of an Idaho winter and to experience the magic of the Special Olympics.

ADDITIONAL STATEMENTS

RECOGNIZING JOHN HALL

• Mr. KOHL. Mr. President, I would like to take time to recognize Mr. John Hall of Middleton, WI, on being awarded the French Legion of Honor for his